



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
§ Serial No: To Be Assigned  
Daniel T. Colbert et al. § (division of application  
§ Serial No. 10/000,746)  
  
For: METHOD FOR PRODUCING A  
§ Filed: HEREWITH  
CATALYST SUPPORT AND  
COMPOSITIONS THEREOF  
§ Group Art Unit: 2881(anticipated)  
§  
Atty Dkt: 11321-P011C1D6 § Prior Examiner: Jack I. Berman  
§ 703.308.4849

U.S. Patent and Trademark Office  
BOX: PATENT APPLICATION  
Washington, D.C. 20231

|  |           |
|--|-----------|
| "EXPRESS MAIL" MAILING LABEL   |           |
| Number: <u>EL765759987US</u>   |           |
| Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to the U.S. Patent and Trademark Office, Box: Patent Application, Washington, D.C. 20231. |           |
| Date   | Signature |
| <u>Wanda Alexander Warren</u><br>Printed Name  |           |

**REQUEST FOR FILING DIVISIONAL APPLICATION**  
**UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 10/000,746, filed on November 30, 2001 entitled "MACROSCOPICALLY MANIPULABLE NANOSCALE DEVICES MADE FROM NANOTUBE ASSEMBLIES" which is a continuation of application Serial No. 09/242,040 filed on September 13, 1999 which is the 35 U.S.C. § 371 national application of International Application Number PCT/US97/13896 as originally filed on August 8, 1997, which designated the United States.

1. Enclosed is a copy of the co-pending prior application Serial No. 10/000,746 filed on November 30, 2001 which is a continuation of Serial No. 09/242,040 filed on September 13, 1999 which is the 35 U.S.C. § 371 national application of

IN RE: APPLICATION S.N. TBA  
REQUEST FOR FILING DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

International Application Number PCT/US97/13896 as originally filed on August 8, 1997, which designated the United States, claiming priority to provisional application Serial No. 60/023,732 filed on August 8, 1996, including the specification, claims, drawings, and declaration. The undersigned hereby incorporates co-pending prior continuation application Serial No. 10/000,746, prior application Serial No. 09/242,040, International Application Number PCT/US97/13896, and provisional application Serial No. 60/023,732 herein by reference and verifies that the enclosed papers are a copy of the co-pending prior continuation application Serial No. 10/000,746 as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a)  The inventorship is the same as co-pending prior continuation application Serial No. 10/000,746.
- (b)  Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c)  Priority of foreign patent application number , filed in is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:  
 is enclosed.  
 has been filed in the prior Application Serial No.
2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

IN RE: APPLICATION S.N. TBA  
REQUEST FOR FILING DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

3. Enclosed is a check in the amount of \$370.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

**CLAIMS FOLLOWING ENTRY OF PRELIMINARY AMENDMENT**

| FOR                               | NUMBER<br>FILED | NUMBER<br>EXTRA | RATE   | FEE             |
|-----------------------------------|-----------------|-----------------|--------|-----------------|
| Basic Fee -----                   |                 |                 |        | \$370.00        |
| Total Claims                      | 6- 20 =         | 0 ×             | \$9 =  | \$0.00          |
| Independent<br>Claims             | 2- 3 =          | 0 ×             | \$42 = | \$0.00          |
| Multiple Dependent Claim(s) ----- |                 |                 |        | \$0.00          |
| <b>TOTAL FILING FEES:</b>         |                 |                 |        | <b>\$370.00</b> |

4. Applicant is entitled to Small Entity Status for this application.  
 (a) A small entity statement is enclosed.  
 (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
5. If the check is missing or insufficient, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required for any reason relating to this application, or credit any overpayment, to Winstead Sechrest & Minick Deposit Account No. 23-2426 referencing 11321-P011C1D6.
6. Enclosed is a copy of the current Power of Attorney in the prior application.

IN RE: APPLICATION S.N. TBA  
REQUEST FOR FILING DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

7. Address all future communications to:

Hugh R. Kress  
WINSTEAD SECHREST & MINICK P.C.  
2400 Bank One Center  
910 Travis Street  
Houston, Texas 77002  
(713) 650-2714 (voice)  
(713) 650-2400 (fax)

8. The prior application is presently assigned to William Marsh Rice University.
9. Enclosed is a Preliminary Amendment. Any additional fees incurred because of the Preliminary Amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the Preliminary Amendment.
10. Cancel in this application claims 1-83 of the prior application before calculating the filing fee.
11. This application is a division of co-pending prior application Serial No. 10/000,746, filed on November 30, 2001, which is a continuation of prior application Serial No. 09/242,040 filed on September 13, 1999, which is the 35 U.S.C. § 371 national application of International Application Number PCT/US97/13896 filed on August 8, 1997, which designated the United States, claiming priority to provisional U.S. patent application Serial Number 60/023,732 filed on August 8, 1996. Each of the foregoing applications is commonly assigned to the assignee of the present invention and is hereby incorporated herein by reference in its entirety.
- This application discloses subject matter related to the subject matter of U.S. patent application Serial Number 09/380,545, filed on September 3, 1999 in the name of Richard E. Smalley et al., entitled "Carbon Fibers Formed From Single-

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Wall Carbon Nanotubes," which application is commonly assigned to the assignee of the present invention and hereby incorporated herein by reference in its entirety.--

- 12. Enclosed are formal drawings.
- 13. An Information Disclosure Statement (IDS) is enclosed.
  - (a) PTO/SB/08A.
  - (b) Copies of IDS citations.
- 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. filed , for use in this application. **Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. filed . Under 37 C.F.R. § 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.**
- 15. Other: \_\_\_\_\_.
- 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,

Date: 21-DEC-2001

Hugh R. Kress  
Hugh R. Kress  
Reg. No. 36,574  
WINSTEAD SECHREST & MINICK P.C.  
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910 Travis Street  
Houston, Texas 77002  
(713) 650-2714 (voice)  
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ATTORNEY FOR ASSIGNEE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/027,670        |
| Filing Date          | December 21, 2001 |
| First Named Inventor | Daniel Colbert    |
| Examiner Name        | unassigned        |
| Group Art Unit       | unassigned        |
| Attorney Docket No.  | 11321-P011C1D6    |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
 Deposit Account Number **23-2426**  
 Deposit Account Name **Winstead Sechrest & Minick P.C.**  
 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$)    | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|----------------------------|------------------------|----------|
| 101 740                       | 201 370                    | Utility filing fee     |          |
| 106 330                       | 206 165                    | Design filing fee      |          |
| 107 510                       | 207 255                    | Plant filing fee       |          |
| 108 740                       | 208 370                    | Reissue filing fee     |          |
| 114 160                       | 214 80                     | Provisional filing fee |          |
| <b>SUBTOTAL (1) (\$ 0.00)</b> |                            |                        |          |

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 8                  | -20** = 0    | x 18.00        | = 0.00   |
| 2                  | -3*** = 0    | x 84.00        | = 0.00   |
| Multiple Dependent |              |                | = 0.00   |

| Large Entity Fee Code (\$)    | Small Entity Fee Code (\$) | Fee Description  |
|-------------------------------|----------------------------|--|
| 103 18                        | 203 9                      | Claims in excess of 20                                     |
| 102 84                        | 202 42                     | Independent claims in excess of 3                          |
| 104 280                       | 204 140                    | Multiple dependent claim, if not paid                      |
| 109 84                        | 209 42                     | ** Reissue independent claims over original patent         |
| 110 18                        | 210 9                      | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2) (\$ 0.00)</b> |                            |  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$)        | Small Entity Fee Code (\$) | Fee Description  | Fee Paid                        |
|-----------------------------------|----------------------------|--|---------------------------------|
| 105 130                           | 205 65                     | Surcharge - late filing fee or oath  |                                 |
| 127 50                            | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |                                 |
| 139 130                           | 139 130                    | Non-English specification  |                                 |
| 147 2,520                         | 147 2,520                  | For filing a request for ex parte reexamination                            |                                 |
| 112 920*                          | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |                                 |
| 113 1,840*                        | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |                                 |
| 115 110                           | 215 55                     | Extension for reply within first month                                     |                                 |
| 116 400                           | 216 200                    | Extension for reply within second month                                    |                                 |
| 117 920                           | 217 460                    | Extension for reply within third month                                     |                                 |
| 118 1,440                         | 218 720                    | Extension for reply within fourth month                                    |                                 |
| 128 1,960                         | 228 980                    | Extension for reply within fifth month                                     |                                 |
| 119 320                           | 219 160                    | Notice of Appeal   |                                 |
| 120 320                           | 220 160                    | Filing a brief in support of an appeal                                     |                                 |
| 121 280                           | 221 140                    | Request for oral hearing   |                                 |
| 138 1,510                         | 138 1,510                  | Petition to institute a public use proceeding                              |                                 |
| 140 110                           | 240 55                     | Petition to revive - unavoidable   |                                 |
| 141 1,280                         | 241 640                    | Petition to revive - unintentional   |                                 |
| 142 1,280                         | 242 640                    | Utility issue fee (or reissue)   |                                 |
| 143 460                           | 243 230                    | Design issue fee   |                                 |
| 144 620                           | 244 310                    | Plant issue fee  |                                 |
| 122 130                           | 122 130                    | Petitions to the Commissioner  |                                 |
| 123 50                            | 123 50                     | Processing fee under 37 CFR 1.17(q)  |                                 |
| 126 180                           | 126 180                    | Submission of Information Disclosure Stmt                                  |                                 |
| 581 40                            | 581 40                     | Recording each patent assignment per property (times number of properties) |                                 |
| 146 740                           | 246 370                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |                                 |
| 149 740                           | 249 370                    | For each additional invention to be examined (37 CFR § 1.129(b))           |                                 |
| 179 740                           | 279 370                    | Request for Continued Examination (RCE)                                    |                                 |
| 169 900                           | 169 900                    | Request for expedited examination of a design application                  |                                 |
| Other fee (specify) _____         |                            |  |                                 |
| *Reduced by Basic Filing Fee Paid |                            |  | <b>SUBTOTAL (3) (\$ 130.00)</b> |

## SUBMITTED BY

Complete (if applicable)

|                   |                      |                                   |        |           |              |
|-------------------|----------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Hugh R. Kress        | Registration No. (Attorney/Agent) | 36,574 | Telephone | 713.650.2714 |
| Signature         | <i>Hugh R. Kress</i> |                                   |        | Date      | 10/02/2002   |

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.